

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

LUKE DWAYNE LATSON,
(TDCJ-CID #1595322)

Petitioner,

vs.

WILLIAM STEPHENS,

Respondent.

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CIVIL ACTION H-13-0301

ORDER

The respondent filed a motion for summary judgment on April 9, 2013. (Docket Entry No. 6). This court instructed the petitioner to file a response within thirty days. (Docket Entry No. 4). To date, the petitioner has not complied. He has filed two letters asking whether all pleadings must be filed by certified mail. (Docket Entry Nos. 8 & 9).

This court's order entered on February 13, 2013, included the following instruction:


7. Each party shall serve the other party, or counsel, with a copy of every pleading, letter or other document submitted for consideration by the court; service shall be by mail to the other party. Every pleading or document filed with the Clerk of Court shall contain a signed certificate stating the date a true and correct copy of the pleading or document was mailed and to whom mailed. Any pleading or other document received by the Clerk which fails to include the certificate of service will be returned to the submitting party. Failure to mail a copy of the pleadings as certified by the certificate will subject the petitioner to sanctions by the court. There will be no direct communications with the U.S. District Judge or Magistrate Judge. Communications must be submitted to the Clerk with copies to the other party.

This court did not instruct the petitioner to file all pleadings by certified mail. Rather, this court ordered the petitioner to include a certificate of service with each pleading, stating the date a

true and correct copy of the pleading or document was mailed and to whom mailed. A certificate of service is not the same thing as certified mail, which is a service provided by the United States Postal Service. The petitioner can prepare his own certificate of service.

The petitioner must file a response to the respondent's dispositive motion no later than **July 25, 2013**. Failure to comply as directed may result in dismissal of this action for want of prosecution.

SIGNED at Houston, Texas, on July 3, 2013.

A handwritten signature in black ink, appearing to read "Vanessa D. Gilmore", written over a horizontal line.

VANESSA D. GILMORE
UNITED STATES DISTRICT JUDGE